

AMENDED IN ASSEMBLY AUGUST 7, 2014

AMENDED IN ASSEMBLY JUNE 26, 2014

AMENDED IN ASSEMBLY JUNE 4, 2014

AMENDED IN SENATE APRIL 10, 2014

**SENATE BILL**

**No. 1311**

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**Introduced by Senator Hill**

(Coauthor: Assembly Member Mullin)

February 21, 2014

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An act to add Section 1288.85 to the Health and Safety Code, relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 1311, as amended, Hill. Hospitals: antimicrobial stewardship.

Existing law provides for the licensure and inspection of health facilities, including general acute care hospitals, by the State Department of Public Health. Existing law requires a general acute care hospital to develop a process for evaluating the judicious use of antibiotics, the result of which is required to be monitored by appropriate representatives and committees involved in quality improvement activities. Under existing law, a violation of the provisions governing health facilities constitutes a misdemeanor punishable by a fine not to exceed \$1,000, by imprisonment in a county jail, or by both that fine and imprisonment.

This bill would require all general acute care hospitals, as defined, to adopt and implement, by July 1, 2015, an antimicrobial stewardship policy in accordance with guidelines established by the federal government and professional organizations and that includes a process to evaluate the judicious use of antibiotics, as specified. The bill would require a general acute care hospital to develop a physician supervised

multidisciplinary antimicrobial stewardship committee, subcommittee, or workgroup, and to appoint at least one physician or pharmacist to that committee, subcommittee, or workgroup who is knowledgeable about antimicrobial stewardship through prior training or attendance at continuing education programs. The bill would also require a general acute care hospital to report antimicrobial stewardship program activities to each appropriate hospital committee undertaking clinical quality improvement activities. ~~This bill would also require the department to report to the Legislature on hospital compliance with the above provisions no later than January 1, 2018, as specified.~~

By expanding the scope of an existing crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 1288.85 is added to the Health and Safety
- 2 Code, immediately following Section 1288.8, to read:
- 3 1288.85. ~~(a)~~ Each general acute care hospital, as defined in
- 4 subdivision (a) of Section 1250, shall do all of the following by
- 5 July 1, 2015:
- 6 ~~(1)~~
- 7 (a) Adopt and implement an antimicrobial stewardship policy
- 8 in accordance with guidelines established by the federal
- 9 government and professional organizations. This policy shall
- 10 include a process to evaluate the judicious use of antibiotics in
- 11 accordance with paragraph (3) of subdivision (a) of Section 1288.8.
- 12 ~~(2)~~
- 13 (b) Develop a physician supervised multidisciplinary
- 14 antimicrobial stewardship committee, subcommittee, or workgroup.
- 15 ~~(3)~~
- 16 (c) Appoint to the physician supervised multidisciplinary
- 17 antimicrobial stewardship committee, subcommittee, or workgroup,
- 18 at least one physician or pharmacist who is knowledgeable about

1 the subject of antimicrobial stewardship through prior training or  
2 attendance at continuing education programs, including programs  
3 offered by the federal Centers for Disease Control and Prevention,  
4 the Society for Healthcare Epidemiology of America, or similar  
5 recognized professional organizations.

6 ~~(4)~~

7 (d) Report antimicrobial stewardship program activities to each  
8 appropriate hospital committee undertaking clinical quality  
9 improvement activities.

10 ~~(b) The department shall report to the Legislature on compliance~~  
11 ~~with this section no later than January 1, 2018.~~

12 ~~(e) (1) The requirement for submitting a report imposed under~~  
13 ~~subdivision (b) is inoperative on January 1, 2019, pursuant to~~  
14 ~~Section 10231.5 of the Government Code.~~

15 ~~(2) A report submitted pursuant to subdivision (b) shall be~~  
16 ~~submitted in compliance with Section 9795 of the Government~~  
17 ~~Code.~~

18 SEC. 2. No reimbursement is required by this act pursuant to  
19 Section 6 of Article XIII B of the California Constitution because  
20 the only costs that may be incurred by a local agency or school  
21 district will be incurred because this act creates a new crime or  
22 infraction, eliminates a crime or infraction, or changes the penalty  
23 for a crime or infraction, within the meaning of Section 17556 of  
24 the Government Code, or changes the definition of a crime within  
25 the meaning of Section 6 of Article XIII B of the California  
26 Constitution.